

Pro Se 14 (Rev. 09/16) Complaint for Violation of Civil Rights (Prisoner)

~~FILED~~

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA**

2019 Jan-03 AM 09:36  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

Dareious Orlando McCroskey  
 Plaintiff

(Write your full name. No more than one plaintiff may be named in a complaint.)

v- Detention  
Lauderdale County Detention Ctr.  
Sgt Charles Woods  
Sgt Billy Rishel

Lauderdale County Sheriff's Dept  
 Defendant(s)

Case No. 3:19-cv-110-lsc-sgc  
 (to be filled in by the Clerk's Office)

(Write the full name of each defendant who is being sued. If the names of all of the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here. Your complaint may be brought in this court only if one or more of the named defendants is located within this district.)

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**  
 (Prisoner Complaint)

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis*.

Mail the original complaint and the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis* to the Clerk of the United States District Court for the Northern District of Alabama, Room 140, Hugo L. Black U.S. Courthouse, 1729 5th Avenue North, Birmingham, Alabama 35203-2195.

## I. The Parties to this Complaint

### A. The Plaintiff

Provide the information below for the plaintiff named in the complaint.

Name

All other names by which you have been known:

ID Number

Current Institution

Address

Hawdendale County Sheriff's Dept.  
Dorcas Clandus McCastley  
C26614  
Hawdendale Detention Center  
653 S Seminary St  
Florence AL 35630

City

State

Zip Code

### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Hawdendale Detention Center County  
Administration  
N/A  
Sheriff Dept  
653 S. Seminary  
Florence AL 35630

City

State

Zip Code

Individual Capacity       Official Capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Charles Woods  
Sgt  
U/A  
Sheriff Dept  
653 S. Seminary St  
Florence AL 35630

City

State

Zip Code

Individual Capacity       Official Capacity

## IV Statement Of Claim

Date

Dec 28 2018

(Defendant No. 1)

A N/A

B In the A/I attorney Tent Room in front of a Camera, were Ms Taylor was watching.

C September<sup>2018</sup> on a weekend around 11:00 AM.

D In mid-September<sup>2018</sup> me and Mr. William S. Lanan were outside doing a small jobs. Inmate # 184075. Upon our return in to the building both of us were made to strip to bare in front of two deputies plus another in full audience from the video room. Stripulation's call for shape down is when our supervisor Mr. Howard assured no Police Trustee root is world is just. Grievances # 02900833, 028986123, 028989643  
Nod 9 Time 1252 #

(M)

# 028984043

In MD - September 2018 Mrs. and Mr. William Lamm  
were outside doing a small job up and down  
in the building. While off their work for us was made to shift  
purs in front of defendant's office  
this cause delay. This layover was while  
they all accidents from the coat to video door.  
We were unable to get into the office due to  
the lack of key but two grown men in fine  
blue uniform even our superior Mr. Howard  
assured no illegal. This office was not used.  
This + me 2 Finance # 029008333, # 02896183

After I have seen Mrs. William Lamm  
came off her work on same while a  
was search on camera while a

C. M.D. - September

L.C.D.L. Jai

© Charles Woods

Dated at #2

Defendant #13

- A) N/A
- B) CCDC Jail
- C) Mid - September

I was search on camera while a female officer watch on camera while # another inmate was present Mr. William Green

D) In - Mid-September 2018 Me and Mr. William Green were outside doing a small job Upon our return into the building both of us was made to strip bare in front of Defendant # 2 & 3 plus another officer # 15 Taylor who was watching in full advance from the Control video room Stipulations call for the shake down In & out of the facility but two grown in a room together was quite violent even when Mr. Howard assured no Malice.

Trustee foot word is Trust no?  
Grievance # C29008333, # 028986123,  
# 028984043

IV Statement of Claim Date  
Dec. 13, 2018  
(Defendant 4)

(A) N/A

(B) LCDC Jail

(C) Oct. 15, 2018

I was sent down the hall to cell A-8 with out anything to sleep or wash my body.

(D) <sup>\$19</sup> Billy Risher sent me down the hall to A-8 with out a mat an I was told to get one from a Inmate that might have one cause they where out of mats in hygen stuff to give out

(V)

## Defendant No. 3

Name	<u>Billy Risner</u>	
Job or Title (if known)	<u>Sgt</u>	
Shield Number	<u>N/A</u>	
Employer	<u>Sheriff Dept</u>	
Address	<u>653 S. Seminary St</u>	<u>Florence AL 35630</u>
City	<u>Florence</u>	<u>AL</u>
State		<u>35630</u>
Zip Code		

Individual Capacity       Official Capacity

## Defendant No. 4

Name	<u>Hawterdale County Sheriff Dept</u>	
Job or Title (if known)	<u>N/A</u>	
Shield Number	<u>N/A</u>	
Employer	<u>653 S. Seminary St</u>	
Address	<u>Florence</u>	<u>AL</u>
City	<u>Florence</u>	<u>AL</u>
State		<u>35630</u>
Zip Code		

Individual Capacity       Official Capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal law]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

## A. Are you bringing suit against (check all that apply):

- Federal officials (a *Bivens* claim)  
 State or local officials (a § 1983 claim)

## B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities, secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

(OCM) Grant Civil Rights, 7 times around  
Sexual Misconduct

- C. Plaintiffs suing under *Bivens* may only recover for violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

V/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attach page for all fair defendants

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- Pretrial Detainee  
 Civilly committed detainee  
 Immigration detainee  
 Convicted and sentenced state prisoner  
 Convicted and sentenced federal prisoner  
 Other \_\_\_\_\_  
(explain)

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

V/A

See Attach page

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

See Attach page

# Basis for Jurisdiction.

Defendants

#1

- D. He act under color by not training  
fire staff members how to properly  
Search Inmates under Video while  
a female officer is present in the  
Video room. She smiled or winked  
at us.

Defendants

#2

- D. He act under color by knowingly  
Search us on Camera with a  
female officer in the camera video  
room other kitchen staff Mr. Howard  
told the officer Woods to Search us in  
Booking the appropriate way.

Defendant

- #3 D. He act under color by knowingly  
Search us on camera with a female  
officer in the camera Video room  
other kitchen staff Mr. Howard told  
them to search us in book the  
appropriate way.

Defendant #9  
They act under color by  
not training the Administration Right to  
properly Search in-mates & also  
to the over crowded of the jail  
they had no Mats for In-mates  
to sleep on in low My Jr  
cause for break out on my  
body that led for poor medical  
responds.

- C. What date and approximate time did the events giving rise to your claim(s) occur?

See Attach page

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See Attach page.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries in detail. 11/11/18  
Defendant #1 & 4 Reg# 039096633  
I've broke out in hives & back hurt sleeping  
on the floor. Dec 12, 2018

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Defendant #1 Cruel & Unusual Punishment, Pain  
& Suffering For the amount of \$50,000.00

Defendant #2 Sexual Misconduct For  
The amount of \$50,000.00

Defendant #3 Sexual Misconduct For  
The amount of \$50,000.00

Defendant #4 Pain and Suffering and  
Cruel and Unusual Punishments For  
Amounts of \$50,000.00

Total \$200,000.00

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- Yes  
 No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Lauderdale County Detention Center

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- Yes  
 No  
 Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- Yes  
 No  
 Do not know

If yes, which claim(s)?

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D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

N/A

E. If you did file a grievance:

1. Where did you file the grievance?

Lauderdale Detention Center tablets

2. What did you claim in your grievance?

We were forced to strip naked in front of ms. Taylor

3. What was the result, if any?

See Grievance # 028986123

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I ask for a 1983 form and never received one. I had to ask someone from the outside to send me an form. I write grievance to the jail about on all. Grievance # 029007503, 029007503  
029097053, 029007623

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

N/A

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Dawn & Sonny, Uo MAT, All Things  
Are So BAD, Please Help

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had any cases dismissed based on grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted?

Yes

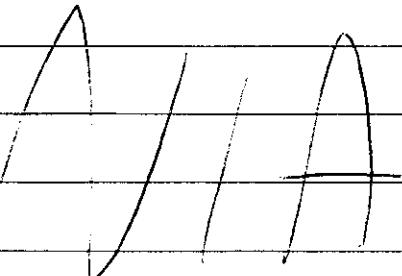
No

If yes, state which court dismissed your case(s), when this occurred, and attach a copy of the order(s) if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

N/A

2. Court (*if federal court, name the district; if state court, name the county and State*)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

Yes

No

N/A

If no, give the approximate date of disposition.

N/A

7. What was the result of the case? (*For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?*)

N/A

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.**

Printed Name of Plaintiff

Prison Identification #

Prison Address

Dareious O.McCrosskey  
~~20076617~~ 32898  
653 S. Seminary St.  
Florence AL 35630  
City State Zip Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

12-28-2016  
(Date)

Dareious O.McCrosskey  
Signature of Plaintiff